

SRI M. S. KRISHNAN.—The Council is not as important as this. As per the rules of Procedure it is very clear that the person who introduced the Bill, he is the person to move. Here is a position where in the concerned Minister is not moving for consideration but some other Minister is moving for consideration. This Minister is not at all connected with this. Rule No. 73—vide Page 30 of the Rules of Procedure reads :

“When a Bill is introduced, or on some subsequent occasion, the member incharge may make one of the following motions in regard to his Bill viz.,

1. that it be taken into consideration by the Assembly either at once or at some future day to be then specified ; or,
2. that it be circulated for the purpose of eliciting opinion thereon :

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that except in cases of Appropriation Bills, any member may object to any such motion being made unless copies of the Bill have been so made available for 7 days, before the day on which the motion is made and such objection shall prevail, unless the Speaker allows the motion to be made.”

It says the member incharge should make one of the following motions. Who is the member incharge ? The Minister incharge is the member. Who has signed this ?

ಅಧ್ಯಕ್ಷರು.—ರೂಲ್ಸ್ ಆಫ್ ಪ್ರಾಸೀಜರ್‌ನಲ್ಲಿಯೇ ಮಿನಿಸ್ಟರ್ ಇನ್‌ಚಾರ್ಜ್ ಅಂದರೆ ಯಾವ ಮಿನಿಸ್ಟರ್ ಅದರೂ ಅಗಬಹುದು ಎಂದು ಇದೆ. ಅದಕ್ಕೆ ಮಾನ್ಯ ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪನವರು ಉತ್ತರ ಹೇಳುತ್ತಾರೆ, ಅದ್ದರಿಂದ ಮಾನ್ಯ ಸದಸ್ಯರು ದಯವಿಟ್ಟು ಕುಳಿತುಕೊಳ್ಳಬೇಕು.

SRI H. M. CHANNABASAPPA.—On page 2 of the Rules of Procedure vide Rule 2 it is stated :

“Member in charge” means—

(i) in the case of a Government Bill, any member acting on behalf of the Government.

MADAM SPEAKER.—The motion may be moved.

Public Wakfs (Extension of Limitation) Karnataka Amendment Bill, 1976.

Motion to consider

SRI N. CHIKKE GOWDA (Minister for Agriculture and Animal Husbandry).—I beg to move :

“That the Public Wakfs (Extension of Limitation) Karnataka Amendment Bill, 1976, be taken into consideration.”

MADAM SPEAKER.—Motion moved :

“That the Public Wakfs (Extension of Limitation) Karnataka Amendment Bill, 1976 be taken into consideration.”

(Sri M. S. Krishnan rose).

SRI N. CHIKKE GOWDA.—The objects and reasons of this Bill are...

SRI M. S. KRISHNAN.—I am on a point of Order. I am on my legs. He cannot explain the objects and aims when I am on my legs.

Sir I was under the impression that the concerned Minister would come and move the Bill for consideration. Any Member acting on behalf of the Government means the person who has introduced the Bill should move the Bill for consideration also. But the person who has introduced the Bill was the concerned Minister Sri S. M. Yahya but not Sri N. Chikke Gowda. Now another Minister comes and for final reply one more Minister may come. Is this the way the Bills are passed in the House? The interpretation is that the Minister who introduced the Bill should also move for consideration. So, my request is that let the concerned Minister come and afterwards, let him move it, I am not coming in the way of passing the Bill.

MADAM SPEAKER.—By this time it would have been over.

SRI M. S. KRISHNAN.—Then should we not follow the Rules of Procedure?

MADAM SPEAKER.—The Rules are being followed. It is a very simple Bill. The Minister has already moved it. Let him explain the salient features of the Bill.

SRI H. M. CHANNABASAPPA.—The Hon'ble Speaker has given a ruling to move the Bill. But the Member still persists which is not good.

SRI N. CHIKKE GOWDA.—Madam, the period of limitation prescribed by the Public Wakfs (Extension of Limitation) Act, 1959 (Central Act 29 of 1959) for filing suits for recovery of wakf properties will expire on 31st December 1975. The Central Minister in charge of Wakf has already informed that State Government may make local amendments to said Act if the quantum of cases left out necessitate further extension of time. There are unauthorised constructions and encroachments on these institutions. The Wakf Board has to initiate court proceedings in all such cases. Many cases of encroachments and claiming the properties as personal are likely to come up. In all such cases also court proceedings will have to be initiated the Board. In the circumstances, extension of the limitation period by amending the Act in its application to this State is found necessary. In order to

enable the Wakf Board and other interested persons to institute suits, the limitation is proposed to be extended upto 31st December 1977 I request the House to pass this unanimously. There is no controversy. In the interest of Wakf property this Bill is brought. I commend the Bill for acceptance.

MADAM SPEAKER.—I will put the consideration motion to the vote of the House. The question is:

“That the Public Wakfs (Extension Limitation) Karnataka Amendment Bill, 1976 be taken into consideration.”

The motion was adopted

CLAUSE 2

MADAM SPEAKER.—The question is :

“That Clause 2 do stand part of the Bill.”

The motion was adopted

Clause 2 was added to the Bill.

CLAUSE 1 ETC

MADAM SPEAKER.—The question is :

“That Clause 1, the long Title, the preamble and the enacting formula do stand part of the Bill.”

The motion was adopted

Clause 1, long Title, the preamble and the enacting formula were added to the Bill.

Motion to Pass

SRI N. CHIKKE GOWDA.—I beg to move :

“That the Public Wakfs (Extension of Limitation) Karnataka Amendment Bill, 1976 be passed”

MADAM SPEAKER.—Motion moved:

“That the public Wakfs (Extension of Limitation) Karnataka Amendment Bill 1976 be passed.”

The Motion was put and adopted and the Bill was passed,